

Amendments to the Drawings:

Applicants are adding new **FIGS. 11A** and **11B** to depict the lubrication layer 14L and the self-lubricating portion 14S of the resilient member, respectively. Applicants are enclosing an clean copy of the sheet including **FIGS 11A** and **11B**, with this responsive amendment.

Remarks:

1. **Objections and Rejections**

The Office Action objects to the drawings as allegedly failing to show a lubrication layer, as set forth in claims 24 and 38, and a self-lubricating material, as set forth in claims 25 and 39. The Office Action objects to the specification as allegedly including conditional terminology and nonsensical terms, and as allegedly failing to provide antecedent basis for various claim limitations in the detailed description. The Office Action rejects claims 33, 35, 38, and 39 under 35 U.S.C. § 112, ¶1, as allegedly failing to comply with the enablement requirement. The Office Action also rejects claims 24, 25, 38, and 39 under 35 U.S.C. § 112, ¶2, as allegedly being indefinite. Moreover, the Office Action rejects claims 19 and 33 under 35 U.S.C. § 102(b), as allegedly being anticipated by U.S. Patent No. 5,944,156 to Hatakeyama. The Office Action also rejects claims 19, 21, 33, and 35 under 35 U.S.C. § 102(b), as allegedly being anticipated by U.S. Patent No. 4,802,326 to Geisthoff. Further, the Office Action rejects claims 24 and 38 under 35 U.S.C. § 103(a), as allegedly being rendered obvious by Hatakeyama in view of U.S. Patent No. 2,543,396 to Wolff. Moreover, the Office Action rejects claims 25 and 39 under 35 U.S.C. § 103(a), as allegedly being rendered obvious by Hatakeyama in view of U.S. Patent No. 3,183,684 to Zeidler. Applicants respectfully traverse.

2. **Drawing Objections**

The Office Action objects to the drawings as allegedly failing to show a lubrication layer, as set forth in claims 24 and 38, and a self-lubricating material, as set forth in claims 25 and 39. Applicants have added new **FIGS. 11A** and **11B** to depict the lubrication

layer 14L and the self-lubricating portion 14S of the resilient member, respectively. Therefore, Applicants respectfully request that the Examiner withdraw the objection to the drawings.

3. Objections to the Specification

The Office Action objects to the specification as allegedly including conditional terminology and nonsensical terms, and as allegedly failing to provide antecedent basis for various claim limitations in the detailed description.

a. Nonsensical Terms

The Office Action objects to the specification as allegedly including nonsensical terms. Specifically, the Office Action asserts that the phrases: “a casing of a rotary equipment” and “In additional” are nonsensical terms. Applicants have amended the specification, and respectfully submit that the specification, as amended, is sensical. Therefore, Applicants respectfully request that the Examiner withdraw the objection to the specification as allegedly including nonsensical terms.

b. Antecedent Basis

The Office Action objects to the specification as allegedly failing to provide antecedent basis for the claimed limitation “the resilient member comprises means for damping” and the claimed limitation “a resilient member slidably held by the entrance portion” in the detailed description. Applicants respectfully disagree with the Office Action’s assertions because antecedent basis for these claimed limitations clearly is provided in the summary of the invention, and the summary of the invention is part of the specification. See, e.g., Appl’n, Page 4, Lines 7-9. Nevertheless, solely to expedite the prosecution of this application, Applicants have amended the specification and respectfully submit that the specification, as amended,

clearly provides antecedent basis for the claimed limitation “the resilient member comprises means for damping” and the claimed limitation “a resilient member slidably held by the entrance portion” in the detailed description, and these amendments to the specification are fully supported by the application, as filed. See, e.g., Appl’n, Page 4, Lines 7-9; and Page 17, Lines 19-22 Therefore, Applicants respectfully request that the Examiner withdraw the objection to the specification as allegedly failing to provide antecedent basis for various claim limitations in the detailed description.

c. Conditional Terms

The Office Action objects to the specification as allegedly including conditional terms, e.g., the term “may.” Specifically, the Office Action asserts that Applicants’ use of the term “may” in the specification makes it “unclear as to what structure constitutes the alleged invention given that practically all of disclosed features may or may not be present.” Office Action, Page 4, Lines 9-11. Applicants respectfully disagree with the Office Action’s assertions.

For example, the term: “may” is a permissive term and is not a conditional term. Moreover, “what structure constitutes the alleged invention” is defined by the claims not the specification, and the claims clearly do not include any conditional terms or permissive terms. (Emphasis added.) As such, the structure of the present invention clearly is set forth in the claims. The specification merely sets forth exemplary embodiments of the present invention, and does not define the scope of the invention. (Emphasis added.) Thus, Applicants respectfully submit that the Office Action’s objection to the term: “may” in the specification is improper. Therefore, Applicants respectfully request that the Examiner withdraw the objection to the specification as allegedly including conditional terminology.

4. Enablement Rejections

The Office Action rejects claims 33, 35, 38, and 39 as allegedly failing to comply with the enablement requirement. Specifically, the Office Action asserts that the claim limitation “the resilient member comprises means to means prevent the resilient member from rotating” is neither taught nor contemplated in the specification. See, e.g., Office Action, Page 5, Lines 10-14. Applicants respectfully disagree.

Applicants’ specification, as filed, recites:

Referring to **Figs. 8A-8C**, resilient member 14 also may comprise means for preventing a rotation of resilient member 14. For example, the means for preventing the rotation of resilient member 14a may comprise a projection portion 14d or 14e adapted for engaging second concave portion 13. Referring to **Fig. 8E**, the means for preventing the rotation of resilient member 14a may comprise a substantially flat contact portion 14f of resilient member 14 and entrance portion 13a. Each of the embodiments depicted in **Figs. 8a-8C** may prevent resilient member 14 from rotating. By preventing the rotation of resilient member 14, the predetermined torque value which causes torque interruption may remain substantially constant.

Appl’n, Page 12, Lines 1-8. Applicants respectfully submit that at least the above-described portion of the specification, as filed, enables those of ordinary skill in the art make and/or use the claimed invention. Therefore, Applicants respectfully request that the Examiner withdraw the enablement rejection of claims 33, 35, 38, and 39.

5. Indefiniteness Rejections

The Office Action rejects claims 24, 25, 38, and 39 allegedly being indefinite. Specifically, the Office Action asserts that there is insufficient antecedent basis for the limitation “the particular portion of the connecting member” in the claims. Applicants have amended claims 24, 25, 38, and 39 to replace the phrase: “connecting member” with the phrase: “resilient

member” in order to correct a typographical error. Independent claims 19 and 33 each provide antecedent basis for the phrase: “resilient member.” Therefore, Applicants respectfully request that the Examiner withdraw the indefiniteness rejection of claims 24, 25, 38, and 39.

6. Anticipation Rejections

The Office Action rejects claims 19 and 33 as allegedly being anticipated by Hatakeyama, and claims 19, 21, 33, and 35 as allegedly being anticipated by Geisthoff. “A claim is anticipated if and only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131. The Office Action alleges that Hatakeyama describes each and every element as set forth in claims 19 and 33, and that Geisthoff describes each and every element as set forth in claims 19, 21, 33, and 35. Applicants respectfully disagree.

a. Hatakeyama

i. Claim 19

Applicants’ independent claim 19 describes a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for damping.” (Emphasis added.) For example, as set forth in Applicants’ specification, the means for damping may comprise a notch 14a formed through the resilient member.

The Office Action asserts that Hatakeyama discloses each and every element of independent claim 19. Nevertheless, the Office Action does not discuss the limitation of a “means for damping” with respect to Hatakeyama. Therefore, the Office Action fails to satisfy its burden of showing that Hatakeyama discloses each and every element of independent claim 19. Moreover, the elastic member 2, which the Office Action asserts corresponds to Applicants’

claimed resilient member, is a continuous, circular member, and as such, does not include means for damping, e.g., a notch or equivalent thereof. Thus, Hatakeyama fails to disclose or suggest a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for damping,” as set forth in Applicants’ independent claim 19. Therefore, Applicants respectfully request that the Examiner withdraw the anticipation rejection of independent claim 1 in view of Hatakeyama.

ii. Claim 33

Applicants’ independent claim 33 describes a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for preventing the resilient member from rotating.” (Emphasis added.) For example, as set forth in Applicants’ specification, the means for preventing the resilient member from rotating may comprise a projection portion 14d or 14e adapted for engaging second concave portion 13, or a substantially flat contact portion 14f of resilient member 14 and entrance portion 13a.

The Office Action asserts that Hatakeyama discloses each and every element of independent claim 33. Nevertheless, the Office Action does not discuss the limitation of a “means for preventing the resilient member from rotating” with respect to Hatakeyama. Therefore, the Office Action fails to satisfy its burden of showing that Hatakeyama discloses each and every element of independent claim 33. Moreover, Applicants respectfully submit that Hatakeyama does not include means for preventing the resilient member from rotating, e.g., a projection portion, a substantially flat contact portion, or an equivalent thereof. Thus, Hatakeyama fails to disclose or suggest a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for

preventing the resilient member from rotating,” as set forth in Applicants’ independent claim 33. Therefore, Applicants respectfully request that the Examiner withdraw the anticipation rejection of independent claim 33 in view of Hatakeyama.

- b. Geisthoff
- i. Claims 19 and 21

Applicants’ independent claim 19 describes a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for damping.” (Emphasis added.) For example, as set forth in Applicants’ specification, the means for damping may comprise a notch 14a formed through the resilient member.

The Office Action asserts that Geisthoff discloses each and every element of independent claim 19. Nevertheless, the Office Action does not discuss the limitation of a “means for damping” with respect to Geisthoff. Therefore, the Office Action fails to satisfy its burden of showing that Geisthoff discloses each and every element of independent claim 19. Moreover, the driver cam 3, which the Office Action asserts corresponds to Applicants’ claimed resilient member, is a continuous member, and as such, does not include means for damping, e.g., a notch or equivalent thereof. Thus, Geisthoff fails to disclose or suggest a power transmission, comprising “a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for damping,” as set forth in Applicants’ independent claim 19. Therefore, Applicants respectfully request that the Examiner withdraw the anticipation rejection of independent claim 1 in view of Geisthoff.

Claim 21 depends from allowable, independent claim 19. Therefore, Applicants respectfully request that the Examiner also withdraw the anticipation rejection of claim 21 in view of Geisthoff.

ii. Claims 33 and 35

Applicants' independent claim 33 describes a power transmission, comprising "a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for preventing the resilient member from rotating." (Emphasis added.) For example, as set forth in Applicants' specification, the means for preventing the resilient member from rotating may comprise a projection portion 14d or 14e adapted for engaging second concave portion 13, or a substantially flat contact portion 14f of resilient member 14 and entrance portion 13a.

The Office Action asserts that Geisthoff discloses each and every element of independent claim 33. Nevertheless, the Office Action does not discuss the limitation of a "means for preventing the resilient member from rotating" with respect to Geisthoff. Therefore, the Office Action fails to satisfy its burden of showing that Geisthoff discloses each and every element of independent claim 33. Moreover, Applicants respectfully submit that Geisthoff does not include means for preventing the resilient member from rotating, e.g., a projection portion, a substantially flat contact portion, or an equivalent thereof. Thus, Geisthoff fails to disclose or suggest a power transmission, comprising "a resilient member slidably held by the entrance portion, wherein the resilient member comprises means for preventing the resilient member from rotating," as set forth in Applicants' independent claim 33. Therefore, Applicants respectfully request that the Examiner withdraw the anticipation rejection of independent claim 33 in view of Geisthoff.

Claim 35 depends from allowable, independent claim 33. Therefore, Applicants respectfully request that the Examiner also withdraw the anticipation rejection of claim 35 in view of Geisthoff.

7. Obviousness Rejections

The Office Action rejects claims 24 and 38 as allegedly being rendered obvious by Hatakeyama in view of Wolff, and claims 25 and 39 as allegedly being rendered obvious by Hatakeyama in view of Zeidler. For the reasons set forth above, Applicants submit that Hatakeyama fails to disclose or suggest each and every limitation of claims 19 and 33. The Office Action does not assert that either Wolff or Zeidler supplies those limitations of independent claims 19 and 33 that are missing from Hatakeyama. Claims 24 and 25, and claims 38 and 39, depend from allowable, independent claims 19 and 33, respectively. “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03 (citations omitted). Therefore, Applicants respectfully request that the Examiner withdraw the obviousness rejection of claims 24, 25, 38, and 39.

Conclusion:

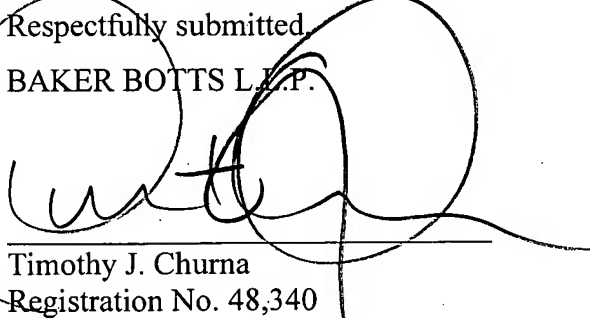
Applicants respectfully submit that this application, as amended, is in condition for allowance, and such disposition is earnestly solicited. If the Office Action believes that a further interview with Applicants' representatives, either in person or by telephone, would expedite prosecution of this application, we would welcome such an opportunity. Applicants believe that no fees are due as a result of this responsive amendment. Nevertheless, in the event of any variance between the fees determined by Applicants and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375.

Dated: May 5, 2006

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Enclosure

Respectfully submitted,
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